

PRESS RELEASE

Congressman John Conyers, Jr.

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**CONYERS ON “PEER-TO -PEER PIRACY ON UNIVERSITY CAMPUSES”:
“ PARTIES MUST NEGOTIATE A SOLUTION”**

Congressman John Conyers, Jr., Ranking Member of the House Judiciary Committee issued the following statement at today’s Courts, the Internet, and Intellectual Property Subcommittee Hearing on “Peer-to-Peer Piracy On University Campuses”:

“One middle-ground approach to stopping piracy seems to be working: for the industries to negotiate privately and then for the government to mandate the agreement so that it can be enforced. This already has happened with the broadcast flag issue, which revolved around how to make sure that DVD players and computers would recognize and obey the rights management on broadcast digital TV signals. The parties agreed on how to approach this and the FCC is working on a rule to mandate the agreement.

These negotiations must continue and resolve these peer to peer issues. Copyright Piracy is one of the most serious economic problems facing this committee. As the whole world knows by now, we have absolutely rampant piracy over the Internet. Consumers have grown accustomed to free music on the Web; and movies and video games are not be far behind.

In the meantime, I believe that one potential solution is for an institution to not monitor student activity on the Internet, but to warn students when a third-party, typically the recording industry, notifies the university of an alleged transgression. The student is then asked to remove the offending conduct and to stop the file-sharing.

I think that it is critical that higher education institutions set forth policies that foster open-mindedness and critical inquiry. I also believe that network monitoring has the potential to stifle the creativity and academic freedom among students that must thrive in educational settings.

There is no doubt in my mind we are at a crossroads in the content business. The decisions we make this year in the Congress, the state legislatures, the courts, will have an impact on the future of the content industry, and whether we will even have a viable content industry in the future.

So it is altogether fitting that we begin the Subcommittee’s agenda with a hearing concerning Peer-to-peer networks in college communities. File sharing among students can provide many beneficial uses in education, research, and professional development. Unfortunately, many students on university campuses have exploited the intended use of the peer-to-peer network, engaging in the practice of trafficking music, movies, software, video games, and other copyrighted material without permission. Aside from raising issues of copyright infringement, this illegal use of the peer-to-peer network can lead to invasions of student privacy, viruses, and other potential security threats to the university’s network.

Last year consumers swapped over 5 billion music files over peer-to-peer networks. An astonishing 58 percent of the American population between the ages of 12-21 have downloaded MP3s over the Internet in the past two years. That amounts to hundreds of billions of dollars that are being stolen from creators. Clearly this degradation and exploitation of what should be a beneficial system will continue to have a deteriorating effect on our economy, not to mention our livelihoods as consumers in the content industry, if it is allowed to continue.

The content industry is stepping up its battle against digital copyright piracy on college campuses, encouraging higher education leaders to monitor their students and impose restrictions on violators. Those who oppose network monitoring argue that, aside from raising privacy concerns, such monitoring can have a chilling effect on the use of the peer-to-peer technology that can otherwise have valuable academic rewards. The end result, they claim, would amount to an overall chilling effect on the marketplace of ideas.

Monitoring can have the effect of turning university officials into spies for the content industry, thus creating an atmosphere in which the First Amendment and privacy rights of students are significantly devalued. Piracy, however, has proven to be a lethal threat to the content and technology industries and universities must take care to address these legitimate concerns that continue to plague the copyright industry.”

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